

JUDGE PRESKA

1-16042

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

07 CV 3402

MAERSK LINE, as agents for
SAFMARINE, INC.,

Plaintiff,

- against -

SEA MARINE CARGO,

Defendant.

CIVIL COMPLAINT
IN ADMIRALTY

Plaintiff MAERSK LINE, by its attorneys, LAW OFFICES OF
ALBERT J. AVALLONE & ASSOCIATES, as and for its Complaint against
defendant SEA MARINE CARGO, in personam, in a cause of action civil and
maritime, alleges upon information and belief:

1. This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure, and the Ocean Shipping Reform Act of 1999, 46 U.S.C., App. Section 1701, et seq.

2. At all times hereinafter mentioned, plaintiff MAERSK LINE, as agents for SAFMARINE, INC. was and still is a corporation duly organized and existing under the laws of the State of Delaware with offices and a place of business at 6000 Carnegie Blvd., Charlotte, NC 28209.

3. Upon information and belief and at all times hereinafter mentioned, defendant had and now has the legal status and place of business as set forth in Schedule A.

4. On or about the dates and at the ports of shipment stated in Schedule A, hereto, certain goods were delivered to plaintiff to be carried to the ports of destination and at the agreed charges to be paid by defendant pursuant to plaintiff's public tariff, all as set forth in Schedule A.

5. Thereafter, the said goods were transported to the ports of destination and delivered to the consignee and/or its agents.

6. Plaintiff has duly performed all duties and obligations required to be performed by plaintiff.

7. Defendant has failed and refused and continues to fail and refuse to remit payment of \$7,629.03, although duly demanded.

8. By reason of the foregoing, plaintiff has sustained damages in the amount of \$7,629.03 which, although duly demanded, have not been paid.

WHEREFORE, plaintiff prays:

1. For judgment in the amount of plaintiff's damages, together with interest thereon, costs, disbursements and a reasonable attorney's fee.

2. That process in due form of law according to the practice of this Court in cases of admiralty and maritime jurisdiction may issue against the defendant citing it to appear and answer all the singular matters aforesaid.

3. That plaintiff have such other and further relief in the premises as in law and justice it may be entitled to receive.

Dated: New York, New York
April 27, 2007

LAW OFFICES OF
ALBERT J. AVALLONE & ASSOCIATES

By



Albert J. Avallone - AA1679
Attorneys for Plaintiff
MAERSK LINE, as agents for
SAFMARINE, INC.
551 Fifth Avenue, Suite 1625
New York, NY 10176
(212) 696-1760

I. Defendant's status & address:

A. Upon information and belief and at all times hereinafter mentioned, defendant SEA MARINE CARGO was and still is a company organized and existing under the laws of the State of New York, with offices and a place of business at 172 Madison Avenue, Suite 205, New York, NY 10016.

II. Particulars:

1. Bill of Lading No. 510985107, dated September 20, 2006, from Charleston to Lahore via Port Qasim on the Vessel MAERSK MISSOURI, three (3) forty-foot Hi-Cubes SAID TO CONTAIN: USED AND SALVAGED COMPUTER CPU, et al., at the applicable tariff charge of \$7,629.03 (Exhibit A).

Amount Paid: \$0

Amount Due: \$7,629.03

III. Total Amount Due: \$7,629.03

SHIPPER'S NAME SEA MARINE CARGO 172 MADISON AVE. SUITE 205 NEW YORK, NY - 10015		BOOKING NO. 510985107	
TO/FROM ADDRESS STAR TRADERS FECO ROAD, NEAR TOYOTA TOWNSHIP MOTORS TOWNSHIP, LAHORE, PAKISTAN TEL. 0300 417 8085		GROSS WEIGHT 1327SMC	
DATE OF INVOICE SAME AS ABOVE		REF	
Vessel Name/Container No. MAERSK MISSOURI		Port of Loading CHARLESTON	
Vessel No. 0613		Port of Discharge PORT QASIM	
Particulars of Goods SHIPPER'S LOAD, STOW, WEIGHT AND COUNT		Remarks LAHORE	

PARTICULARS FURNISHED BY SHIPPER CARRIER NOT RESPONSIBLE

SHIPPER'S LOAD, STOW, WEIGHT AND COUNT	Freight	Remarks
SHIPPER'S LOAD, STOW, WEIGHT AND COUNT		
FREIGHT PREPAID		
1 X 40' HIGHCUBE CONTAINERS		
SAY TO CONTAIN		
63 PIECES		
15 PALLETES OF USED		
AND SALVAGED COMPUTER		
ONE WITHOUT HARD DRIVES		
2 CARTONS OF USED NOTEBOOK		
WITH WITHOUT HARD DRIVES		
AND		
54 PALLETES OF USED COMPUTER		
THESE COMMODITIES, TECHNOLOGY, OR SOFTWARE WERE EXPORTED FROM THE UNITED STATES		
IN ACCORDANCE WITH THE EXPORT ADMINISTRATION REGULATIONS		
REEXPORTATION CONTINUED TO U.S. LAW PROHIBITED		

Freight & Charges	Rate	Unit	Currency	Amount	Charge
BASIC FREIGHT	3.00	HC	USD	3030.00	
CHASSIS/USAGE CHARGE	40.00	SU	USD	120.00	
INLAND HAUL, IMPORT	31000.00	SU	PKR	1546.03	
EMERGENCY RISK SURC	70.00	SU	USD	210.00	
EMERG BUNKER SURCHG	880.00	SU	USD	2640.00	
			USD	7529.03	

Number of Containers 1 CONTAINER (S)	Container No. 0613	Remarks LAHORE
Number of Containers 3/THREE	Container No. 0613	Remarks LAHORE

LADEN ON BOARD MAERSK MISSOURI /0613
AT CHARLESTON ON SEP 20 2006

SEE ATTACHED SHEET

EXHIBIT "A"

ATTACHMENT NO.

1 OF 1

WORK NUMBER

DESCRIPTION

1904140185

PASS WITH + 1113733229 32 TIME

CY: CA

COMM CODE: 65 031408

FREIGHT & CHARGES

DEST HANDLING CHRG	35.00	SH	KG	25624.00
PORT SECURITY CHRG	5.00	ST	USD	15.00
CARRIER SECURITY CH	15.00	ST	USD	18.00
CARRIER TROUSERS FEE		ST	USD	41950.00
DESTINATION COM FEE		ST	PZF	4336.00
DOC FEE CROGIA		ST	USD	28.00
RENTAL DOC PROC FEE		ST	USD	25.00